

### **REMARKS**

This Application has been carefully reviewed in light of the Office Action mailed April 12, 2006. At the time of the Office Action, Claims 1-21 were pending in this Application. Claims 1-21 were rejected. Claims 1, 8, 11-21 have been amended to further define various features of Applicants' invention. Claims 7 and 21 have been cancelled. Claim 22 has been added. Applicants respectfully request reconsideration and favorable action in this case.

#### **Renumbering Claims**

Applicants would like to bring to the Examiner's attention that the Claims as filed in the instant application were erroneously numbered 1-10 and 12-22, skipping claim number 11. Claims 7 and renumbered claim 21 have been cancelled. Therefore, Applicants amend the claim numbering to correct this clerical error, and respectfully submit that claims 1-6, and 8-20 are pending.

#### **Rejections under 35 U.S.C. §103**

Claims 1-6, 8-10, 12-14, and 16-21 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent 6,832,329 issued to Ahrens et al. ("Ahrens") in view of U.S. Patent Application Publication No. 2003/0140268 filed by Mahoney. Applicants respectfully traverse and submit the cited art combinations, even if proper, which Applicants do not concede, does not render the claimed embodiment of the invention obvious.

Claims 7, 15, and 22 were rejected under 35 U.S.C. §103(a) as being unpatentable over Ahrens in view of Mahoney, and further in view of U.S. Patent Application Publication No. 2003/0005374 filed by Fought et al. ("Fought"). Applicants respectfully traverse and submit the cited art combinations, even if proper, which Applicants do not concede, does not render the claimed embodiment of the invention obvious.

In order to establish a *prima facie* case of obviousness, the references cited by the Examiner must disclose all claimed limitations. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974). Furthermore, according to § 2143 of the Manual of Patent Examining Procedure, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 U.S.P.Q.2d 1438 (Fed. Cir. 1991).

The present invention concerns the monitoring of an arrangement consisting of a driver output coupled with a component. See for example, specification, page 2, lines 10-12. Whenever a fault occurs at the output of a driver which is connected to a component, the fault may be caused by the driver or the component. Furthermore, the fault might be sporadic. Thus a detailed analysis is necessary to determine the cause of the fault. The method according to the present amended claims only performs such a detailed analysis if a the fault occurs for a predetermined time. Only then, a respective test of the arrangement will be conducted. In case of a sporadic fault, the system will not perform such a test to avoid unnecessary activation of the component. See for example, specification, page 2, lines 18-20.

Thus, the amended claims include a two-step error detection. In a first step the driver output is checked. The term checking does not include any active influence of the driver output. Only if a consistent error is detected at the driver output, then the driver is actively influenced to determine the cause of the error. Thus, any unnecessary influence of the driver output and, therefore, of the component attached to the driver output can be avoided.

Ahrens does not provide for such an error analysis. Ahrens teaches to determine a specific cache error. To this end, the system according to Ahrens scans the specific CE flags, the associated cache addresses and the associated error syndrome. Only if the same error syndrome occurs at the same address for five consecutive times, the system indicates that this specific cache error. See Ahrens, col. 3, line 54 to Col. 4, line 47. Thus, Ahrens proposes a specific procedure tailored for a cache system that identifies a specific error and avoids identification of a sporadic error. However, no further test is necessary in the Ahrens system because the test proposed by Ahrens identifies the specific error. See Ahrens, Col. 4, lines 25-31.

Thus, Ahrens does not teach to avoid an unnecessary test of component. Contrary to the Examiner's assumption, a person skilled in the art would not combine Ahrens with Mahoney to perform an additional test once an error has been detected. On the contrary, a combination of Ahrens and Mahoney would not lead to a two-step detection as claimed in the present invention. Rather, the respective active influence as taught by Mahoney would be integrated in the analysis as taught by Ahrens. Ahrens already teaches to perform a detailed analysis by setting the CE flag in the cache. See Ahrens, Col. 3, line 66 to Col. 4, line 6. Thus, Ahrens does actively influence the cache. A combination of Mahoney with Ahrens would, thus, lead to a further active test within this determination step. hence, a combination of Ahrens and Mahoney does not lead to a two-step detection as claimed in the amended independent claims.

Applicants respectfully submit that the dependent Claims are allowable at least to the extent of the independent Claim to which they refer, respectively. Thus, Applicants respectfully request reconsideration and allowance of the dependent Claims. Applicants reserve the right to make further arguments regarding the Examiner's rejections under 35 U.S.C. §103(a), if necessary, and do not concede that the Examiner's proposed combinations are proper.

### CONCLUSION

Applicants have made an earnest effort to place this case in condition for allowance in light of the amendments and remarks set forth above. Applicants respectfully request reconsideration of the pending claims.

Applicants believe there are no fees due at this time, however, the Commissioner is hereby authorized to charge any fees necessary or credit any overpayment to Deposit Account No. 50-2148 of Baker Botts L.L.P.

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Andreas Grubert at 512.322.2545.

Respectfully submitted,  
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